

Since the above agreed-upon definition and the many claims including the agreed-upon definition were the consideration for the terminal disclaimer, the consideration has failed in support of the terminal disclaimer.

While the preceding legal justification for withdrawal, nullification, or cancellation of the terminal disclaimer is shown, the almost 7-year prosecution time of the application, including loss and reconstruction of the application file, it is believed further supports the equities in the above contractual interpretation.

There cannot be uncertainties in agreements upon which terminal disclaimers are filed causing loss of patent term(s).

Respectfully submitted,


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